IN RE: PETITIONS FOR SPECIAL SPECIAL EXCEPTION & ZONING VARIANCES

> 2020 Merritt Boulevard 12th Election District

W/S of Merritt Blvd., Jerauld Berlin

DEPUTY ZONING COMMISSIONER BALTIMORE COUNTY * CASE NO. 90-325-

BEFORE THE

FINDINGS OF FACT AND CONCLUSIONS OF LAW The Petitioner herein requests a special hearing to amend the site plan in Case No. 4093% and Case No. 89-11SPH and to determine that a use in combination for a food store and the sale of gasoline is permitted and this site. Petitioner also requests a special exception pursuant to Section 405.4D8 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a food store as a use in combination with a gasoline service station. Petitioner further requests variances from Section 238.2 of the B.C.Z.R. to permit a rear yard of 11 feet in lieu of the required 30 feet, from Section 405.4A.1 of the B.C.Z.R. to permit a lot area of 22,346.28 square feet plus or minus in lieu of the required 25,840 square feet, from Section 405.4A.2.a of the B.C.Z.R. to permit a 0 foot setback for an existing sign in lieu of the required 6 feet; and from Section 405.4A.3.a of the B.C.Z.R. to permit

a 5 foot tangent from the property line for an existing

entrance in lieu of the required 10 feet, all as more

particularly described on the plans submitted prepared by Paul Lee Engineering, Inc. and identified as Petitioner's Exhibit No. 1. In an amended Petition for Variance Petitioner also requested a variance from Section 405.4A.2a of the B.C.Z.R. to permit a 12 foot front yard setback for existing gasoline pumps in lieu of the required 15 feet.

The Petitioner appeared, testified and was represented by counsel, John B. Gontrum, Esquire at the hearing on February 15, 1990. Also appearing on behalf of the Petitioner was Paul Lee, engineer with Paul Lee Engineering, Inc. There were no protestants. At the hearing testimony indicted that the variance for a sign setback of 0 feet in lieu of the required six feet was no longer requested as the sign was to be removed. The site plan, however, indicated an additional variance for existing pumps of 12 feet in lieu of the required 15 feet. Petitioner accordingly amended his petition and after posting a second hearing was held on April 26, 1990 at which time Petitioner again appeared with Paul Lee and John B. GOntrum, his attorney, and there were no protestants. Testimony supporting the variance request had been taken at the February 15, 1990 hearing.

Testimony indicated that the subject property consists of .513 acres zoned B.R.-C.N.S. and was granted a special exception for an automotive service station in Case No. 4093X. That site plan and order was subsequently amended in zoning case No. 89-11-SPH. The property currently enjoys a usage as

a service station with a truck rental facility. Petitioner testified that he is desirous of converting the existing service bay area into a convenience store and adding an area onto the rear of the building to provide for additional storage. As pictures filed as Petitioner's Exhibit 2 indicate, there is a block building on the rear property line of Petitioner's property. A small walkway exists along the side of this building all on Petitioner's property. A rear yard variance was granted in Case No. 83-14A for a similar, although; ot identical, extension onto the rear of the Petitioner's building. This variance was subsequently eliminated in Case No. 89-11SPH. It is clear from the photographs that the building and adjacent buildings have existed for quite some time. To the south of Petitioner's property along Merritt Boulevard is existing vacant land except for railroad tracks. Eilers Avenue to the north of the property is a paper street totally unimproved from Petitioner's lot out to Merritt Boulevard. The lot on the far side of that is now vacant. Petitioner's photographs 2A through I tended to show the mixed industrial and commercial nature of the area, and Petitioner testified that the subject property for the proposed use meets Section 502 requirements.

It is clear from Section 405.2 of the B.C.Z.R. that an automotive-service station is permitted by special exception in a B.R.-C.N.S. District on an individual site. Section 405.4D provides that a food store with less than 5,000 square feet of retail sales area may be permitted by special exception as a use in combination with a service station provided that its said use is an integral combination with the service station use. Petitioner's Exhibit 1 indicates that the service station layout will be integrated with the proposed retail store, and that the retail store meets the maximum sizing requirements. It is equally clear that the proposed use in combination would not be do rimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are effectuated by the special exception request as well as by the proposed amendment to the site plan previously approved.

The Petitioner had the burden of submitting testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely effect the public interests. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's exhibit 1 and as further indicated by the photographs in Petitioner's Exhibit 2 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981). In reviewing the comments filed by Department of Environmental Protection

and Resource Management, and by the Deputy Director of the Cifice of Planning and Zoning, in particular, it is clear that the use as proposed and as modified by those comments will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After due consideration of the testimony and evidence presented, it appears that the relief requested in the special hearing and by the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1. Whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2. Whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3. Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals. Town of Chesapeake Beach. 22 Md.

It is clear from the testimony that if the variances

requested are granted, such uses as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety and general welfare. In fact, several of the requests are to bring the site as it now exists into compliance with current zoning requirements. It is clear from the testimony that this site has existed in this configuration for many years with no apparent detriment to the community. The fact that a variance similar to the one requested for the rear yard of 11 feet in lieu of the required 30 feet was once before granted indicates again that the variance would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing, special exception and variances requested should be granted:

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30 to April, 1990, that the Petition for Special Hearing to approve an amendment to the site plan approved in Case No. 4093-X and in Case No. 89-11SPH and to determine that a use in combination of a food store and the sale of gasoline is permitted on the site, and the Petition for Special Exception to allow a automobile-service station as a use in common with a retail

Zoning Variances to permit a rear yard setback of 11 feet in lieu of the required 30 feet and to permit a lot area of 22,346.28 square feet in lieu of the required 25,840 square feet, to permit a 12 foot frontyard setback for existing pumps in lieu of the required 15 feet, and to permit a 5 foot tangent from the property lines for an existing entrance in lieu of the required 10 feet, in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Fetitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Petitioner shall comply with the requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated December 19, 1989, a copy of which has been attached hereto and made a part hereof.

3. Any lighting fixtures used for illumination and security purposes should be arranged to reflect the light away from the adjacent residential properties and public streets. 4. No outdoor display of retail merchandise shall be permitted.

5. Dumpsters should be screened from public view.

6. Prior to the issuance of any permits, Petitioner shall submit a landscaping plan to the Deputy Director of the Office of Planning and Zoning. The Plan should include the planking of street trees and/or shrubs along Merritt Boulevard. A copy of the approved plan shall be submitted to the Zoning Commissioner's Office for inclusion in the case file prior to the issuance of any permits. A note should be included on the landscape plan indicating that any planting provided in the public right of way shall be maintained by the Petitioner.

7. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

8. Upon request and reasonable notice, Petitioners shall permit a representative of the Office of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Croer.

> ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Paul Les P.E.

Paul Leo Engineering Inc.
308 W. Pannylvania Ava.
Town Maryland 21208 301-821-5941

DESCRIPTION

2C20 MERRITT BOULEVARD 12TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

Beginning for the same at the corner formed by the south right of way line of Eilers Avenue, 30 feet wide, and the west right of way line of Merritt Boulevard, 140 feet wide, thence running with and binding on said west right of way line (1) South 31048'12" West - 215.57 feet to the north right of way line of the Patapsco Neck Branch Railroad Spur, thence running with and binding on said north right of way line (2) North 54045'18" West - 84.14 feet, thence leaving said north right of way line of the Patapsco Neck Branch Railroad Spur (3) North 00°58'18" West - 141.59 feet to the south right of way line of Eilers Avenue, 30 feet wide, thence running with and binding on said south right of way line (4) North 89001'42" East - 190.56 feet to the place of beginning.



Containing 0.513 acres of land, more or less.

October 12, 1989

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines

April 30, 1990

12th Election District - 7th Councilmanic District

John B. Gontrum, Esquire 800 astern Boulcard Baltimore, Maryland 21221

(2020 Merritt Boulevard)

Case No. 90-325-SPHXA

Jerauld Berlin - Petitioner

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE W/S of Merritt Boulevard, S of Eilers Avenue

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception, and Zoning Variance have been granted in accordance with the at-

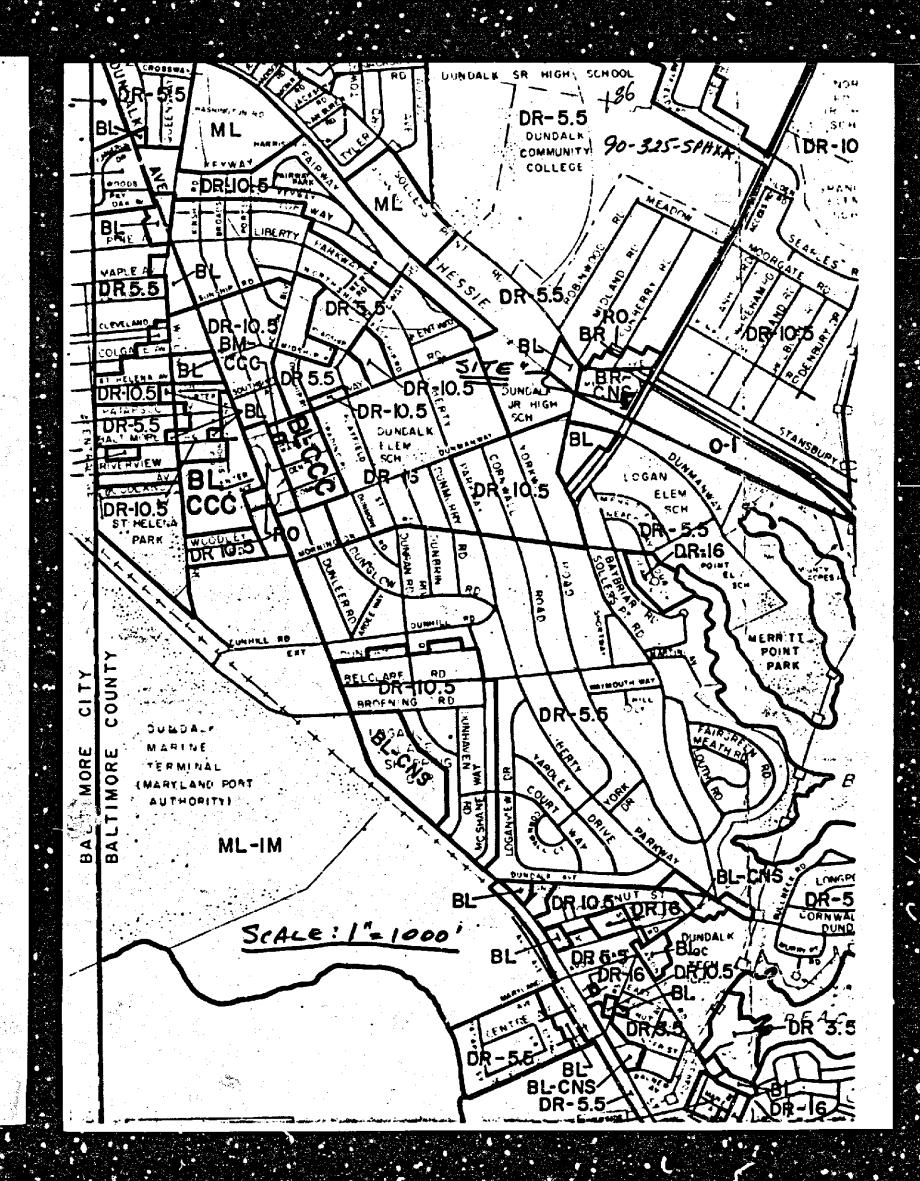
In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Deputy Zoning Commissioner for Baltimore County

cc: People's Counsel

File



PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-325-5PHXA The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve To one of site plus in Cose 89-115PH ad to determine that a use in combination (food stope) 15 Pennitted Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): Jerauld Berlin (Type or Print Name) (Type or Print Name) Ywell! (Type or Print Name) City and State Attorney for Petitioner: 2020 Merritt Boulevard 284-7344 John B. Gontrum (Type or Print, Name) Baltimore, Maryland 21222 City and State 809 Eastern Boulevard Name, address and phone number of legal owner, contract purchaser or representative to be contacted Baltimore, Maryland 21221 City and State Attorney's Telephone No.: __686-8274____ ORDERED By The Zoning Commissioner of Baltimore County, this ______ day DEC., 1989, that the subject matter of this petition be advertised, as equired by the Zoning Law of Baltimore County, in two newspapers of general circulation through-FEB 1990 at 9:30 o'clock

PUBLIC HEARING FEES

SOPH MAIL

Costemed: 4/26/90 ... 10:30 Am.

020 -ZONING VARIANCE (OTHER)

040 -SPECIAL HEARING (OTHER)

PETITION FOR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-325-5PHXA The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Paris Stone with safe above ose in combination with a genuce station (food store) Property is to be posted and advertised as prescrit 1 by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: (6 "Legal Owner(s): Jerauld Berlin (Type or Print Name) Address City and State Attorney for Petitioner: John B. Gontrum 2020 Merritt Boulevard 284-7344 Baltimore, Maryland 21222 809 Eastern Boulevard Name, address and phone number of legal owner, contract purchaser or representative to be contacted Baltimore, Maryland 21221 Attorney's Telephone No.: 686-8274 Phone No. Sounty, on the 15 day of 763 1980, at 9:30 o'clock

Baltimore County Zoning Commissione Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

12/15/89

John B. Gontrum, Esquire 809 Eastern Blvd Baltimore, MD 21221

RE: Item No. 186, Case No. 90-325-SPHXA Petitioner: Jerauld Berlin Petitir for Zoning Variance and Special Hearing and Special Exception

Dear Mr. Gontrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file & written report with the Zoning Commissioner with recommendations as to the Buitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

> JAMES E. DYER Zoning Plans Advisory Committee

cc: Mr. Jerauld Berlin 2020 Merritt Blvd Baltimore, MD 21222 Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines



Your petition has been received and accepted for filing this

19th day of December, 1989.

ZONING COMMISSIONER

Petitioner: Jerauld Berlin Petitioner's Attorney: John B. Gontrum BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner DATE: January 31, 1990

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Jerauld Berlin, Item 186

The Petitioner requests a Variance to permit a rear yard of 11 ft. in lieu of the required 30 ft.; and to permit a lot area of 22,346 sq. ft. in lieu of the required 25,840 sq. ft.; and to permit a sign setback of 0 ft. in lieu of the required 6 ft.; and to permit a curb tangent length of 5 ft. in lieu of the required 10 ft.; and a Special Hearing to amend the site plan in Case No. 89-11-SPH; and to determine that a use in combination (food store) is permitted; and a Special Exception for use in combination with a service station (food

Based upon review of the information provided and the analysis conducted, staff offers the following comments should the Petitioner's request be granted.

- Any lighting fixtures used for illumination and security purposes should be arranged to reflect the light away from adjacent residential properties and public streets.
- No outdoor display of retail merchandise shall be permitted.
- Temporary signs or seasonal banners shall not be permitted on
- Dumpsters should be screened from public view.
- The Petitioner shall submit a landscape plan to Deputy Director of the Office of Planning and Zoning prior to the issuance of any building permits. The plan should include the planting of street trees along Merritt Boulevard.
- A note shall be included on the landscape plan indicating that any planting provided in the public right-of-way shall be maintained by the Petitioner.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554



January 11, 1990

J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 501, 184, 185 and 456

> Michael S. Flanigan, Traffic Engineer Assoc. II

BALTHMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGE

Zoning Commissioner
Office of Planning and Zoning County Office Building

Zoning Item # 186, Zoning Advisory Committee Meeting of December 19, 1989 Property Owner: Jerauld Berlin Location: W/S Merritt Blvd., S of Eilers Ave. Water Supply: Metro Sewage Disposal: Metro
COMMENTS ARE AS FOLLOWS:

Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.

() Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins. () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or

() A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more. Prior to approval of a Ruilding Permit Application for renovations to existing or construction of new

health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse,

saunas, whirlpools, hot tubs, water and severage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information. contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315. Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations

For more complete information, contact the Division of Maternal and Child Health. If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.

Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Peritioner must contact the Bureau of Air Quality Management regarding removal of asbestoes, 887-3775.

Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the ontents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.

() Soil percolation tests, have been ____, must be ____, conducted. () The results are valid until _____, buse _____, Petitioner should contact the Division of Water () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.

1. Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled. In accordance with Section 13-117 of the Baltimore County Code, the water well yield test

) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples, If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management

In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.

MANAGEMENT

Baltimore County Fire Department 800 York Road Towson, Maryland 21204-2586 (301) 887-4500 Paul H. Reincke

DECEMBER 19, 1989



J. Robert Haines Zoning Commissioner Office of Planning and Zoning Towson, MD 21204

Baltimore County Office Building

JERAULD BERLIN RE: Property Owner:

W/S MERRITT BOULEVARD, S OF EILERS AVE. Zoning Agenda: DECEMBER 19, 1989 Location:

Item No.: 186

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: December 19. 1989

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for December 19, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 501, 185, 186, 189 and 190.

For Items 184, 187 and 188 the CRG comments remain

ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

Deputy Zoning Commissioner Office of Planning and Zoning Towson, Maryland 21204 Re: Case No. 90-325-SPHXA

Ms. Ann Nastarovicz

I am the owner of the property which is the subject of the above referenced case number. I have reviewed all petitions and site plan and I am in agreement with their request.

CERTIFICATE OF POSTERS

Posted for: Special Exception, Special Harring Horison

Petitioner: Location of property: M/S Month Bloday S of Loss for

2020 Morrett Blod

Location of Signe Focking Horn't Blody opprove 3 For 200 dway

O.T. proporty of Petitionia

ZONING DEPARTMENT OF BALTIMORE COUNTY 90- 325- 5014X.4

February 19, 1990

LIST OF WITNESSES MOTICE OF HEARING The Zonung Commissioner of Baltimore Courty, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 166 of the Courty Office Bulling, and cated at 111 W. Chesapeake Avenue in Towarn, Maryland 21204 as follows: CERTIFICATE OF PUBLICATION TOWSON, MD., Jebruary 1. 1990 inue in Towson, Manyland 21204
is follows:
Petition for Special Hearing,
Special Excaption & Zoning
Variancee
Case No.: 90-325-SPHXA
W/S of Merritt Blvd., S of
Ellers Avenue
2020 Merritt Blvd.
12th Election District
7th Councilmanic
Petitioner(s):
Jersuid Berlin
Hearing Date: Thursday THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published

THE JEFFERSONIAN.

5. 20 he Orland

in Towson, Baltimore County, Md., once in each of ____ successive

weeks, the first publication appearing on Job 1 . 19 90.

Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

Hearing Date: Thursday, Feb. 15, 1990 at 9:30 a.m.

Feb. 15, 1990 at 9:30 a.m.

Spectal Exception; For use in combination with a service station (food store) Special Hearing: to amend site plan in case #69-11-5PH and to determine that a use in combination (food store) is permited. Varience: to permit a rear yard of 11 feet in fieu of the required 30 feet; to permit a lot area of 22,346.28 sq. ft. (±) in fieu of the required 25,840 sq. ft.; to permit a sign setback of 0 feet in fieu of the required 6 ft.; and to permit a cust tensent

length of 5 ft. in iteu of the re-quired 10 ft. In the event that this Petition is

granted, a building permit may be issued within the thirty (30) day

appeal period. The Zoning Com-missioner will, however, entertain any request for a stay of the is-suance of said permit during this period for good cause shown. Such request must be in writing

SLOR request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

If "PHASE I," of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.

J. Robert Haines
Zoning Commissioner

Jerauld Berlin 2020 Merritt Boulevard Baltimore, Maryland 21222

Petitions for Special Hearing, Special Exception & Zoning Variances CASE NUMBER: 90-325-SPHXA W/S of Merritt Blvd., S of Eilers Avenue

2020 Merritt Blvd. 12th Election District - 7th Councilmanic Petitioner(s): Jerauld Berlin HEARING: THURSDAY, APRIL 26, 1990 at 10:30 a.m.

Please be advised that \$ 265.92 is due for advertising and posting of the above captioned property.

DATE MARCH 14, 1990

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)

RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY

UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Bullding, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

By advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Includes posting + Advertising for 2-15-90 AND reposting charges for 4/26/90.

John B. Contrum, Esq.

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353 J. Robert Haines
Zoning Commissioner

MOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeaka Avenue in Towson, Maryland as

Petitions for Special Hearing, Special Exception & Zoning Variances CASE NUMBER: 90-325-SPHXA W/S of Merritt Blvd., S of Eilers Avenue 2020 Merritt Blvd. 12th Election District - 7th Councilmanic Petitioner(s): Jerauld Berlin HEARING: THURSDAY, FEBRUARY 15, 1990 at 9:30 a.m.

Special Exception: For use in combination with a service station (food store) Special Hearing: To amend site plan in case #89-11-SPH and to determine that a use in combination Variance: To permit a rear yard of 11 feet in lieu of the required 30 feet; to permit a lot area of 22,346.28 sq. ft. (±) in lieu of the required 25,840 sq. ft.; to permit a sign setback of 0 feet in lieu of th required 6 ft.; and to permit a curb tangent length of 5 ft. in lieu of the required

In the event that this Patition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

BALTIMORE COUNTY. M'RYLAND

Jerauld Berlin John B. Gontrum, Esq.

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

NOT MAILED

March 13, 1990

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as

Petitions for Speical Exception, Special Exception and Amended Petition for Zoning Variance CASE NUMBER: 90-325-SPHXA W/S of Merritt Blvd., S of Ellers Avenue 2020 Merritt Blvd. 12th Election District - 7th Councilmanic Petitioner(s): Jerauld Berlin HEARING: THURSDAY, APRIL 26, 1990 at 10:30 a.m.

Special Exception: Use in combination with a service station (food store). Special Hearing: To amend site plan in case 89-11-SPH and to determine that a use in combination (food store) is permitted.

AMENDED VARIANCE: To permit a rear yard of 11 feet in lieu of the required 30 ft.; to permit a lot area of 22,346.28 sq. ft.: in lieu of the required 25,840 sq. ft.; to permit a curb tangent length of 5 ft. in lieu of the required 10 ft.; to permit a 12 ft. front yard setback for existing pumps in lieu of the required 15 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or pre-J. Robert friese sented at the hearing.

J. ROBERT HAINES ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

cc: Jerauld Berlin John Guntrum, Esq. Paul Lee

PETITIONER(S) SIGN-IN SHEET PLEASE PRINT CLEARLY 301 W. PENNA FUE 21204 809 BOSTEN BLd. MITV. PAUL LEG 16Ho) GonTam JERAULU ABERLIN 2020 MEMBITT BLUB

> CERTIFICATE OF POSTING 90-325-SPHXA ZONING DEPARTMENT OF BALTIMORE COUNTY

Posted for: Special Facustion, Special House & Amended Ish how for Veyronce.

Petitioner: Jayauld Boxlin Location of property: W/S Morritt Blvd S/ Ellers Are,

2070 Morritt Blvd,

Location of Signe: Facing Morritt Blvd, approx, 15 Fr. roldway,

on fro forty of Patitions Number of Signs: _______

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353 J. Robert Haines
Zoning Commissioner



NOTICE OF REASSIGNMENT CONFIRMING

THE ABOVE MATTER HAS BEEN REASSIGNED.

THE HEARINGS WILL NOW TAKE PLACE AS FOLLOWS:

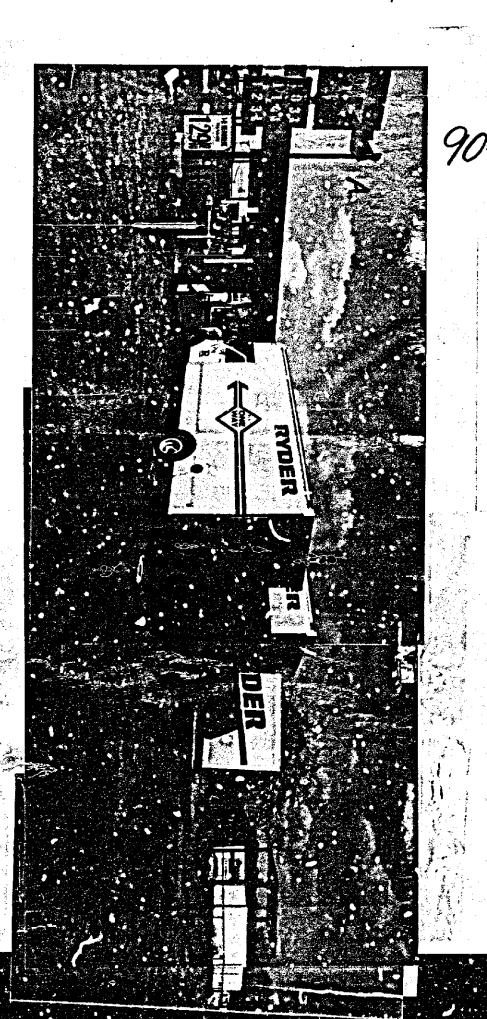
BALTIMORE COUNTY OFFICE BULIDNG, 111 W. Chesapeake Avenue, Room 106, Towson, Maryland 2:204

J.ROBERT HAINES ZONING CONFISSIONER

BALTIMORE COUNTY

John Gontrum, Esq.

Petitione's Exhibit 1



3. From N.E. entrance on

90-325-SPHXA

